

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

UNITED STATES OF AMERICA,	:	Case No. 1:04-cr-99
	:	
Plaintiff,	:	
	:	
- vs -	:	District Judge Susan J. Dlott
	:	Magistrate Judge Michael R. Merz
	:	
WENDELL ROSS,	:	
	:	
Defendant.	:	

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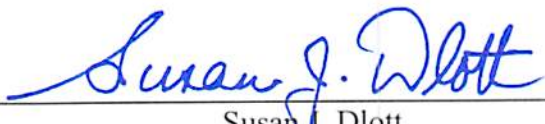
**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Substituted Report and Recommendations of United States Magistrate Judge Michael R. Merz on Certificate of Appealability (ECF No. 170), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's Motion for Certificate of Appealability (ECF No. 168) be DENIED.

August 14, 2017.

  
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Susan J. Dlott  
United States District Judge